

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CURTIS FULLER,

Plaintiff,

Case No. 1:23-cv-224

v.

Hon. Hala Y. Jarbou

HEIDI WASHINGTON, et al.,

Defendants.

/

ORDER

This is a civil rights action brought by a state prisoner under 42 U.S.C. § 1983. On March 24, 2023, the Court issued an opinion and order (ECF Nos. 8, 9) denying Plaintiff leave to proceed *in forma pauperis* because he was barred by the “three-strikes” rule of 28 U.S.C. § 1915(g). Plaintiff subsequently moved for reconsideration (ECF No. 10), and the Court denied his motion in an order (ECF No. 11) entered on April 11, 2023. Plaintiff failed to pay the required \$402.00 filing fee in the required time period, and the Court dismissed the action by order and judgment (ECF Nos. 12, 13) entered on April 26, 2023. In the dismissal, the Court warned Plaintiff that should he file a notice of appeal, he would be required to pay the \$505.00 filing fee in a lump sum, because he is prohibited from proceeding *in forma pauperis* on appeal by § 1915(g).

Plaintiff has now filed a notice of appeal, but has failed to submit the \$505.00 filing fee for an appeal. As outlined in the Court’s opinion and order denying him pauper status, Plaintiff is barred from proceeding *in forma pauperis* on this appeal. Plaintiff has twenty-eight (28) days from the date of entry of this order to pay the entire filing fee for appealing a civil action, which is

\$505.00, to the Clerk of this Court. Plaintiff's failure to comply with the order may result in dismissal of this appeal without prejudice by the Sixth Circuit Court of Appeals.

IT IS SO ORDERED.

Dated: May 3, 2023

/s/ Hala Y. Jarbou

HALA Y. JARBOU

CHIEF UNITED STATES DISTRICT JUDGE

SEND REMITTANCES TO THE FOLLOWING ADDRESS:

Clerk, U.S. District Court
399 Federal Bldg.
110 Michigan St., N.W.
Grand Rapids, MI 49503

All checks or other forms of payment shall be payable to "Clerk, U.S. District Court."